IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 18638 of 2007(R)

PETITIONER:

PONMUDI PAPER MILLS LTD., P.B.NO.1236,
CHALAKUZHY, PEROORKADA, TRIVANDRUM,
REPRESENTED BY ITS PROPRIETOR, JOSEPH THOMAS.

BY ADV. SRI.SUNIL KUMAR A.G

RESPONDENTS:

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1. THE RECOVERY OFFICER, EMPLOYEE'S
PROVIDENT FUNDS, BHAVISHYANIDHI BHAVAN,
P.B.NO.1016, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM - 695 004.

2. THE ASSISTANT PROVIDENT FUND
COMMISSIONER, EMPLOYEES PROVIDENT FUND
ORGANISATION, BHAVISHYANIDHI BHAVAN,
PATTOM PALACE P.O., THIRUVANANTHAPURAM - 685 004.

3. THE REGISTRAR, GOVERNMENT OF INDIA,
MINISTRY OF FINANCE, DEPARTMENT OF ECONOMIC
AFFAIRS, BOARD OF INDUSTRIAL AND FINANCIAL
RECONSTRUCTION, JAWAHAR VYAPAR BHAVAN, 1,
TOLSTOY MARG, NEW DELHI - 110 001.

BY SRI.P.PARAMESWARAN NAIR, ASST. S.G.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.18638 of 2007

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Dated this the 20th day of June, 2007.

JUDGMENT

Even though there is no case for interference with proceedings for recovery of arrears of Provident Fund contribution which is collected from the employees, I feel instalment facility can be granted because the unit is said to be closed. In the circumstances, petitioner is granted four instalments to clear the arrears as follows. 50% will be paid on or before 31.8.2007 and the balance will be payable in three equal monthly instalments i.e. on or before the last day of three succeeding months. Interest also will be payable at the statutory rate for belated payment. Recovery proceedings will be kept in abeyance for payments as above and in the event of default in payment of any instalment, the instalment facility will stand cancelled and respondents will proceed for recovery of entire arrears by coercive steps.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms